IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF MISSISSIPPI EASTERN DIVISION

POWERTRAIN, INC.,)
a Mississippi Corporation,)
Disinsiff)
Plaintiff) Case No. 1:11-cv-00105-GHD-DAS
v.) Case No. 1.11-cv-00103-011D-DAS
v.)
JOYCE MA, an Individual, and	,)
)
BEST MACHINERY &)
ELECTRICAL, INC.,)
a dissolved California Corporation)
D C 1 . 1771' 1D . D1')
Defendants and Third Party Plaintiffs)
v.)
v.)
WILLIAM H. SHAWN, an Individual, and	,)
)
SHAWNCOULSON, LLP,)
a Washington, DC Limited Liability)
Partnership)
)
Third Party Defendants)
	_)

THIRD PARTY DEFENDANTS' MOTION TO DISMISS

COME NOW Third Party Defendants William H. Shawn and ShawnCoulson, LLP (collectively "Third Party Defendants") and, by counsel, respectfully submit their Motion to Dismiss under Fed. R. Civ. P. 12(b)(6). In support of their position, Third Party Defendants have attached their Points and Authorities in Support of this Motion to Dismiss.

WHEREFORE, Third Party Defendants respectfully request their motions be granted, and that this Court grant such other and further relief as it may find just and necessary. Proposed forms of orders are attached.

DATE: September 10, 2012

Respectfully submitted,

/s/William R. Wheeler, Jr.

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CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of September, 2012, I served a copy of the forgoing on all counsel of record via ecf.

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/s/William R. Wheeler, Jr.

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF MISSISSIPPI EASTERN DIVISION

POWERTRAIN, INC.,)
a Mississippi Corporation,)
DI : (166	
Plaintiff)
**) Case No. 1:11-cv-00105-GHD-DAS
V.	
JOYCE MA, an Individual, and)
BEST MACHINERY &	
ELECTRICAL, INC.,)
a dissolved California Corporation)
a dissolved Camorina Corporation)
Defendants)
)
v.)
)
WILLIAM H. SHAWN, an Individual, and	
avi vinigovi govi i i b	
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a Washington, DC Limited Liability)
Partnership	
Third Party Defendants)
Time I arry Detendants)
·	_/

ORDER GRANTING THIRD PARTY DEFENDANTS' MOTION TO DISMISS

Having considered the Third Party Defendants' Motion to Dismiss, the Court finds that Third Party Defendants' motion has merit and grants the Motion to Dismiss.

THEREFORE, this ____day of September, 2012, it is hereby ORDERED that Third Party Defendants' Motion to Dismiss is GRANTED.

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ORDERED AND ADJUDGED this the _____ day of September, 2012.

UNITED STATES DISTRICT JUDGE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF MISSISSIPPI, EASTERN DIVISION

Copies to:

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